

Correction slip no. 002

Correction slip to the "SECR General tender condition -2019"

Para No.	Revised Public Procurement (Preference to Make in India) Order, 2017
6.1 of Section-I	<p>Preference to Make in India, as per Railway Board's letter no.2020/RS(G)/779/2,dtd.12.06.2020, Rly Bd's letter No.2015/RS(G)/779/5(Vol.III),dtd.22.06.2020 and Rly Bd's letter No.2015/RS(G)/779/5(Vol.III),dtd.12.07.2020.</p> <p>Following provision will be applicable for items to be procured under Public Procurement (Preference to Make in India) order, 2017.</p>
6.2 of Section-I	<p>Definitions:</p> <p>"Local content":-mean the amount of value added in India which shall, unless otherwise prescribed by the Nodal Ministry, be the total value of the item procured(excluding net domestic indirect taxes) minus the value of imported content in the item (including all customs duties) as a proportion of the total value, in percent.</p> <p>"Class-I local supplier" means a supplier or service provider, whose goods, services or works offered for procurement, has local content equal to or more than 50%, as defined under this Order.</p> <p>"Class-II local supplier" means a supplier or service provider, whose goods, services or works offered for procurement, has local content more than 20% but less than 50%, as defined under this Order.</p> <p>"Non-Local supplier" means a supplier or service provider, whose goods, services or works offered for procurement, has local content less than or equal to 20%, as defined under Order.</p> <p>"L1" means the lowest tender or lowest bid or the lowest quotation received in a tender, bidding process or other procurement solicitation as adjudged in the evaluation process as per the tender or other procurement solicitation.</p> <p>"Margin of Purchase Preference" mean the maximum extent to which the price quoted by a "Class-I local supplier may be above the L1 for the purpose of purchase preference.</p> <p>'Nodal Ministry' means the Ministry or Department identified pursuant to this order in respect of a particular item of goods or services or works.</p> <p>'Procuring entity' means a Ministry or department or attached or subordinate office of, or autonomous body controlled by, the Government of India and includes Government companies as defined in the Companies Act.</p> <p>'Works' means all works as per Rule 130 of GFR- 2017, and will also include 'turnkey works'.</p>
6.2.1 of Section-I	<p>Eligibility of "Class-I Local supplier"/"Class-II Local supplier"/"Non-Local suppliers for different types of procurement:</p> <p>(a) In procurement of all goods, services or works in respect of which the Nodal Ministry I Department has communicated that there is sufficient local capacity and local competition, only 'Class-I local supplier', as defined under the Order, shall be eligible to bid irrespective of purchase value.</p>

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	<p>(b) In procurement of all goods, services or works, not covered by sub- para 6.2.1(a) above, and with estimated value of purchases less than Rs. 200 Crore, in accordance with Rule 161 (iv) of GFR, 2017, Global tender enquiry shall not be issued except with the approval of competent authority as designated by Department of Expenditure. Only 'Class-I local supplier' and 'Class-II local supplier', as defined under the Order, shall be eligible to bid in procurements undertaken by procuring entities, except when Global tender enquiry has been issued. In global tender enquiries, 'Non-local suppliers' shall also be eligible to bid along with 'Class-I local suppliers' and 'Class-II local suppliers'.</p> <p>(c) For the purpose of this Order, works includes Engineering, Procurement and Construction (EPC) contracts and services include System Integrator (SI) contracts.</p>
6.3 of Section-I	<p>Purchase Preference:</p> <p>(a) Subject to the provisions of this Order and to any specific instructions issued by the Nodal Ministry or in pursuance of this Order, purchase preference shall be given to 'Class-I local supplier' in procurements undertaken by procuring entities in the manner specified here under.</p> <p>(b) In the procurement of goods or works, which are covered by para 6.2.1(b) above and which are divisible in nature, 'Class-I local supplier' shall get purchase preference over 'Class-II local supplier' as well as 'Non-local supplier', as per the following procedure.</p> <p>(i) Among all qualified bids, the lowest bid will be termed as L1. If L1 is 'Class-I local supplier', the contract for full quantity will be awarded to L1.</p> <p>(ii) If L1 bid is not a 'Class-I local supplier', 50% of the order quantity shall be awarded to L1. Thereafter, the lowest bidder among the 'Class-I local supplier' will be invited to match the L1 price for the remaining 50% quantity subject to the Class-I local supplier's quoted price falling within the margin of purchase preference, and contract for that quantity shall be awarded to such 'Class-I local supplier' subject to matching the L1 price. In case such lowest eligible 'Class-I local supplier' fails to match the L1 price or accepts less than the offered quantity, the next higher 'Class-I local supplier' within the margin of purchase preference shall be invited to match the L1 price for remaining quantity and so on, and contract shall be awarded accordingly. In case some quantity is still left uncovered on Class-I local suppliers, then such balance quantity may also be ordered on the L1 bidder.</p>
6.4 of Section-I	<p>(a) In the procurements of goods or works, which are covered by para 6.2.1(b) above and which are not divisible in nature, and in procurement of services where the bid is evaluated on price alone, the 'Class-I local supplier' shall get purchase preference over 'Class-II local supplier' as well as 'Non-local supplier', as per following procedure:</p> <p>(i) Among all qualified bids, the lowest bid will be termed as L1. If L1 is 'Class-I local supplier', the contract will be awarded to L1.</p> <p>(ii) If L1 is not 'Class-I local supplier', the lowest bidder among the 'Class-I local supplier', will be invited to match the L1 price subject to Class-I local supplier's quoted price falling within the margin of purchase preference, and the contract shall be awarded to such 'Class-I local supplier' subject to matching the L1 price</p> <p>(iii) In case such lowest eligible 'Class-I local supplier' fails to match the L1 price, the 'Class-I local supplier' with the next higher bid within the margin of purchase preference shall be invited to match the L1 price and so on and contract shall be awarded accordingly. In case none of the 'Class-I local supplier' within the margin of purchase preference matches the L1 price, the contract may be awarded to the L1 bidder.</p> <p>(b) "Class-II local supplier" will not get purchase preference in any procurement, undertaken by procuring entities.</p>

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6.5 of Section-I	Exemption of small purchases: Notwithstanding anything contained in paragraph procurements where the estimated value to be procured is less than Rs. 5 lakhs shall be exempt from this Order. However, it shall be ensured by procuring entities that procurement is not split for the purpose of avoiding the provisions of this Order.
6.6 of Section-I	Minimum local content: The local content requirement to categorize a supplier as 'Class-I local supplier'/ 'Class-II local supplier'/ 'Non-local supplier' shall be as defined in the Para "6.2" of the Order. No change is permissible on this account.
6.7 of Section-I	Margin of Purchase Preference: The margin of purchase preference shall be 20%.
6.8 of Section-I	<p>Verification of local content:</p> <p>(a) The 'Class-I local supplier'/ 'Class-II local supplier' at the time of tender, bidding or solicitation shall be required to indicate percentage of local content and provide self-certification that the item offered meets the local content requirement for 'Class-I local supplier'/ 'Class-II local supplier', as the case may be. They shall also give details of the location(s) at which the local value addition is made.</p> <p>(b) In cases of procurement for a value in excess of Rs. 10 crores, the 'Class-I local supplier'/ 'Class-II local supplier' shall be required to provide a certificate from the statutory auditor or cost auditor of the company (in the case of companies) or from a practicing cost accountant or practicing chartered accountant (in respect of suppliers other than companies) giving the percentage of local content.</p> <p>(c) Decisions on complaints relating to implementation of this Order shall be taken by the competent authority which is empowered to look into procurement-related complaints relating to the procuring entity.</p> <p>(d) Nodal Ministries may constitute committees with internal and external experts for independent verification of self-declarations and auditor's/ accountant's certificates on random basis and in the case of complaints.</p> <p>(e) Nodal Ministries and procuring entities may prescribe fees for such complaints.</p> <p>(f) False declarations will be in breach of the Code of Integrity under Rule 175 (1) (i)(h) of the General Financial Rules for which a bidder or its successors can be debarred for up to two years as per Rule 151 (iii) of the General Financial Rules along with such other actions as may be permissible under law.</p> <p>(g) A supplier who has been debarred by any procuring entity for violation of this Order shall not be eligible for preference under this Order for procurement by any other procuring entity for the duration of the debarment. The debarment for such other procuring entities shall take effect prospectively from the date on which it comes to the notice of other procurement entities, in the manner prescribed under paragraph 6.8 (h) below.</p> <p>(h) The Department of Expenditure shall issue suitable instructions for the effective and smooth operation of this process, so that:</p> <p>(i) The fact and duration of debarment for violation of this Order by any procuring entity are promptly brought to the notice of the Member-Convener of the Standing Committee and the Department of Expenditure through the concerned Ministry /Department or in some other manner;</p> <p>(ii) On a periodical basis such cases are consolidated and a centralized list or decentralized lists of such suppliers with the period of debarment is maintained and displayed on website(s);</p> <p>(iii) In respect of procuring entities other than the one which has carried out the debarment, the debarment takes effect prospectively from the date of uploading on the</p>

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	website(s) in the such a manner that ongoing procurements are not disrupted.																																																			
6.9 of Section-I	<p>Specification in Tenders and other procurement solicitations:</p> <p>(a) if this railway is satisfied that Indian suppliers of an item are not allowed to participate and/or compete in procurement by any foreign government, it may, if deems appropriate, restrict or exclude bidders from that country from eligibility for procurement of that item and/ or other items relating to this railway.</p> <p>(b) For the purpose of sub-paragraph 6.9 (a) above, a supplier or bidder shall be considered to be from a country if (i) the entity is incorporated in that country, or (ii) a majority of its shareholding or effective control of the entity is exercised from that country; or (iii) more than 50% of the value of the item being supplied has been added in that country. Indian suppliers shall mean those entities which meet any of these tests with respect to India.</p>																																																			
6.10 of Section-I	<p>Implementation of Public procurement (Preference to Make in India) Order,2017.(Authority: Rly Bd' letter No.2015/RS(G)/779/5(Vol.III),dtd.22.06.2020.</p> <p>Following items (List "A" and List "B"), for which sufficient local capacity and local competition exists, only Class I local suppliers shall be eligible to bid for supply of these items irrespective of the purchase value:</p> <p>List "A"</p> <table border="1"> <thead> <tr> <th>Sr.No.</th><th>Item</th><th>Reference</th></tr> </thead> <tbody> <tr><td>1.</td><td>Point Machine</td><td>D.5</td></tr> <tr><td>2.</td><td>Signal Unit</td><td>C.1</td></tr> <tr><td>3.</td><td>Shunt Signal-Position Light type</td><td>C.2</td></tr> <tr><td>4.</td><td>Electric Point & Lock Detector</td><td>D.2</td></tr> <tr><td>5.</td><td>Electric Key Transmitter</td><td>D.3</td></tr> <tr><td>6.</td><td>Double Line Block Instrument</td><td>A.4</td></tr> <tr><td>7.</td><td>Single Line Token Block Instrument (Handle Type)</td><td>A.5</td></tr> <tr><td>8.</td><td>Single Line Neal's Ball Token Block Instrument</td><td>A.6</td></tr> <tr><td>9.</td><td>Nylon Insulated Joints</td><td>H.8</td></tr> <tr><td>10.</td><td>Electric Lifting barrier</td><td>J.1</td></tr> </tbody> </table> <p>Above Reference /S. Nos. are from DOC No.QS-M-8.2.1-1 Version 1.0 issued by RDSO i.e VENDOR DIRECTORY (SIGNAL &TELECOM)(Validity 01.01.2019 to 30.06.2019)</p> <p>List "B"</p> <table border="1"> <thead> <tr> <th>Sr.No.</th><th>Item</th><th>Reference</th></tr> </thead> <tbody> <tr><td>1.</td><td>Cable (All Types)</td><td>B</td></tr> <tr><td>2.</td><td>LED Signal-Lighting Units for Railway Signalling</td><td>C-7</td></tr> <tr><td>3.</td><td>LED Signal Lamps for Main Color Light Signal for Railway Signalling</td><td>C-8</td></tr> <tr><td>4.</td><td>Electric Point Machine (Non-Trailable Type)</td><td>D-5</td></tr> <tr><td>5.</td><td>Motors for Electric Signal Machine</td><td>D-6</td></tr> </tbody> </table>	Sr.No.	Item	Reference	1.	Point Machine	D.5	2.	Signal Unit	C.1	3.	Shunt Signal-Position Light type	C.2	4.	Electric Point & Lock Detector	D.2	5.	Electric Key Transmitter	D.3	6.	Double Line Block Instrument	A.4	7.	Single Line Token Block Instrument (Handle Type)	A.5	8.	Single Line Neal's Ball Token Block Instrument	A.6	9.	Nylon Insulated Joints	H.8	10.	Electric Lifting barrier	J.1	Sr.No.	Item	Reference	1.	Cable (All Types)	B	2.	LED Signal-Lighting Units for Railway Signalling	C-7	3.	LED Signal Lamps for Main Color Light Signal for Railway Signalling	C-8	4.	Electric Point Machine (Non-Trailable Type)	D-5	5.	Motors for Electric Signal Machine	D-6
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6.	ARA Terminal Blocks and Fuse Block-Made PBT/Polycarbonate	E-2
7.	Battery Charger for Railway S&T Installations	F-1
8.	Track Feed Battery Charger	F-2
9.	'SITE' Primary Cells(Dry, Lachlanche Type) for Railway S&T Installations	F-7
10.	Low Maintenance Lead Acid Stationary Secondary Cell for S&T Installations	F-8
11.	Solar Photo-Voltaic Module	F-10
12.	Relays-Universal Plug-in type AC Lamp Proving Relay (M to C Contact) for LED Signal Lamp	G-1
13.	Relays -"Q" Series Neutral Line (ACI & Non-ACI)	G-3
14.	Relays-Plug -in type, Track Relay 9 & 4 Ohm (ACI and Non-ACI)	G-4
15.	Relays-Special Type (Metal to Carbon)	G-5
16.	Choke Coil for Single Rail Track Circuits on 25KV 50Hz AC electrified sections	H-6
17.	Thermoplastic Poly Urethane Insulators for Railways Signalling	H-8
18.	Fail Safe Electronic Time Delay Device for Railway Signalling	I-3

Above Reference /S.Nos. are from DOC No.QS-M-8.2.1-2 issued by RDSO I.E VENDOR DIRECTORY (SIGNAL &TELECOM)(Validity 01.01.2020 to 31.06.2020)

6.11 of Section-I

Wagons and items required for manufacture and maintenance of wagons:
(Authority: Rly Bd' letter No.2015/RS(G)/779/5(Vol.III),dtd.12.07.2020.

All type of wagons and all spares and components required for manufacture and maintenance of wagons, including hardware and consumables, shall be procured, irrespective of the purchase value, from Class I Local Suppliers only, except for the following items, in procurement of which this restriction shall not apply.

List "C"

Sr.No.	Item
1.	Automatic Twist Lock to RDSO Document No.CONTR-01-ATL-2011 and envelope drg no. CONTR-9405/S/21
2.	Grease for CTRB Class E & Class K to RDSO specification No.WD-24-MISC-2003.
3.	Steel: For procurement of Steel the notification of Ministry of Steel on Policy for providing preference to domestically manufactured Iron & Steel Products in Government procurement (Ministry of Steel Gazette notification dated 29/05/2019, latest amended) shall apply.

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Requirement of vendor to be a Class-I local supplier(self-certification by bidder as per PPP-MII order 2017, as amendment), to be considered for ordering of items detailed in listed(List "A", "B" and "C") above, shall be a mandatory condition in addition to other qualifying criteria, including status of RDSO approval, which may be applicable for purchase of the item. Keeping with the Public Procurement(preference to Make in India) Order,2017, as amended, it has been found that there is sufficient local capacity and competition in supply of the tendered item of required quality and therefore Public procurement of the item is restricted to Class I local suppliers only and the vendors who do not qualify to be Class I local suppliers should not quote in the tender as their offers shall not be considered for any ordering. In case any vendor who does not qualify to be a Class I local supplier for the tendered item participates in the tender it does so at it's own risk and cost and Railways shall not be liable for any loss or damages caused to the vendor.

All other terms and condition in "SECR General tender condition-2019" uploaded on 01.10.2019 will remain same.


(P.K.Pradhan)
Dy.CMM(C&W)
SECR/BSP/HQ


14/10/2020